

JKB/cic/305075

5-144-51

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MCI WORLDCOM NETWORK SERVICES,)
INC.)

Plaintiff,)

v.)

ATLAS EXCAVATING, INC.,)

Defendant.)

No. 02 C 4394

Judge Moran

Magistrate Judge Brown

NOTICE OF MOTION

TO: **SEE ATTACHED SERVICE LIST**

PLEASE TAKE NOTICE that on the 17th day of July, 2003 at 9:00 a.m. or as soon thereafter as counsel may be heard, I shall appear before the Honorable James P. Moran or any judge sitting in his stead, in the courtroom usually occupied by him in Room 1843 of the Federal Building and shall then and there present a **Motion for Substitution of Counsel**, a copy of which is attached hereto and hereby served upon you.

ATLAS EXCAVATING, INC.

By: 

One of Its Attorneys

James K. Borgia, Esq.
David O. Yuen, Esq.
Tressler, Soderstrom, Maloney & Priess
233 South Wacker Drive, 22nd Floor
Chicago, IL 60606
(312) 627-4000

DOCKETED

JUL 18 2003

FILED
JUL - 9 2003
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

17

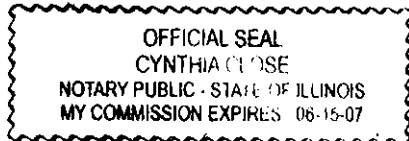
PROOF OF SERVICE

The undersigned, being first duly sworn on oath, deposes and says that she served copies of the above documents upon the attorneys shown above at the addresses shown above by depositing the same in the U.S. Mail at 233 South Wacker Drive, Chicago, Illinois, before 5:00 p.m. on the 9th day of July, 2003, with proper postage prepaid.

Theresa A. Williams

Subscribed and Sworn to before me
this 9th day of July, 2003.

By: *Cynthia Close*
Notary Public



SERVICE LIST
(File No. 5-144)

John P. Morrison
Robert P. Brown
Bell Boyd & Lloyd LLC
Three First National Plaza
70 West Madison Street, Suite 3300
Chicago, IL 60602

James J. Proszek
Kimberly R. Beidler
Hall Estill Hardwick Gable Golden
& Nelson, P.C.
320 South Boston Avenue, Suite 400
Tulsa, OK 74103-3708

R. Howard Jump
Christine M. Sparks
Jump & Associates, P.C.
11 South LaSalle Street, #2000
Chicago, IL 60603

221746

JKB/cic/304889

5-144-51

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MCI WORLDCOM NETWORK SERVICES,
INC.

Plaintiff,

v.

ATLAS EXCAVATING, INC.,

Defendant.

No. 02 C 4394

Judge Moran

Magistrate Judge Brown

MOTION FOR SUBSTITUTION OF COUNSEL

NOW COMES the Defendant, Atlas Excavating, Inc., and moves this Court for leave to file the substitute Appearance of James K. Borcia, Michael J. Fusz and David O. Yuen of Tressler, Soderstrom, Maloney and Priess, as attorneys for Defendant Atlas Excavating, Inc.

1. Attorneys R. Howard Jump and Christine M. Sparks of the law firm of Jump & Associates, P.C. previously filed an appearance as counsel for Defendant Atlas Excavating, Inc.

2. Defendant now moves for leave to have attorneys James K. Borcia, Michael J. Fusz and David O. Yuen of the law firm of Tressler, Soderstrom, Maloney & Priess appear as their attorneys of record in place of Mr. Jump and Ms. Sparks, who are withdrawing.

WHEREFORE, for the foregoing reasons, it is respectfully requested that this Court grant James K. Borcia, Michael J. Fusz and David O. Yuen of the law firm of Tressler, Soderstrom, Maloney and Priess leave to substitute their appearance as attorneys of record on behalf of the Defendant in this matter.

ATLAS EXCAVATING, INC.

By: 

One of Its Attorneys

James K. Borcia, Esq.
Michael J. Fusz, Esq.
David O. Yuen, Esq.
Tressler, Soderstrom, Maloney & Priess
233 South Wacker Drive, 22nd Floor
Chicago, IL 60606
(312) 627-4000

DOCKETED
JUL 18 2003
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT
FILED
JUL 9 2003